

REMARKS

Claims 130-147 are pending. Claim 148 has been canceled. Claims 149-153 have been added, which substantially duplicate claims 130-132 and 140-141 except that the term " β -D-2'-methyl-ribofuranosyl" has been replaced with the term " β -D-2'-methyl-furanosyl." Applicants preserve the right to file canceled or withdrawn subject matter in one or more continuation or divisional applications.

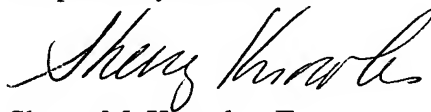
The Examiner has provisionally rejected claims 130-148 under the judicially created doctrine of obviousness-type double patenting over claims 130-143 of co-pending Application No. 10/602,691, claims 130 and 132-148 over claims 89 and 130-174 of co-pending Application No. 10/602,693 and claims 130-131 and 133-148 over claims 1-32 of U.S. Patent No. 6,812,219.

The Examiner's attention is directed to the recent issuance of US Patent No. 6,914,054, and additional co-owned co-pending U.S. Application Nos. 10/602,135; 10/602,692; 10/602,142; 10/602,976 and 10/602,136. While not admitting that such is needed, Applicants enclose a terminal disclaimer that disclaims the terminal portion of a patent issuing on this application that would extend beyond the term of these patents or a patent issuing on these listed patent applications.

The Examiner has also objected to claim 148 as improper. The claim has been canceled in response to the Examiner's objection.

Should the Examiner determine that additional fees are due, the Commissioner is hereby authorized to debit any fees associated with this response to Deposit Account 11-0980.

Respectfully submitted,



Sherry M. Knowles, Esq.
Reg. No. 33,052

King & Spalding, LLP
45th Floor
191 Peachtree Street, N.E.
Atlanta, Georgia 30303
404.572.4600